



# City of Seattle

September 18, 2018

## VIA ELECTRONIC FILING

Marlene Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW Washington, DC 20554

*Re: Ex Parte Letter, Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84; Streamlining Deployment of Small Cell Infrastructure, WT Docket No. 16-421*

Dear Secretary Dortch,

We are writing to express the City of Seattle's strong opposition to any FCC action on the above referenced proceedings that would eliminate local control on matters involving access to public right-of-way (ROW), access to municipal property in and out of the ROW, permitting, and related timelines and fees. The City of Seattle is particularly concerned about the recent draft orders that would compromise the safety, security, and reliability of critical electrical infrastructure, by limiting the control of the public utilities who are responsible for maintaining their municipally owned poles. As a member of the National Association of Telecommunication Officers and Advisors (NATOA), Seattle joins other communities across the nation to voice this opposition and to urge protection of local governments' right to be the stewards of our local public assets.

### **Local Experience Does Not Support Industry Message of Deployment Interference**

Repeatedly the telecommunication industry has been telling the Commission that local government ROW practices, wireless facilities siting regulations, and ROW use fees play a significant and negative role in deployment of broadband facilities. This message does not reflect the reality in Seattle. Our City has been working to prepare for the broadband future since 2003<sup>1</sup> and actively supports the deployment of broadband and wireless facilities. We have been working with industry to site small cell facilities since 2005 and we currently have several pole attachment agreements in place with providers. Verizon even named Seattle City Light as its *Partner of the Year* in 2017. As a result of these efforts, we have a thriving telecommunications sector serving our community.

<sup>1</sup> <http://www.seattle.gov/tech/initiatives/broadband/studies-and-history>

As the broadband and wireless industries have evolved, we've successfully worked with industry to manage the roll-out of changing technologies to achieve the great service levels our residents enjoy today. We have been proactive in our ROW and facilities siting practices, with well-developed and transparent processes to facilitate the deployment of wireless facilities. We understand the ever-increasing demands on wireless networks, and the potential of 5G technology, that requires continued deployment of new and upgraded infrastructure across our City. Holding back that growth would not be beneficial for the long-term health of tech-savvy Seattle and that is not our objective. Instead, our objective is to *ensure that growth continues* in a manner that meets our obligations to *protect the public interest in safety, aesthetics, and fiscal responsibility* for the use of public assets and ROW – an objective that these proceedings threaten.

### **Local Complexities Require Local Consideration**

The City of Seattle owns and operates our electric utility, Seattle City Light ("SCL"), and there are approximately 110,000 utility poles owned in whole, or in part, by the City, that are available for attachment for wireless siting. SCL has approved attachments on, and seen deployment of, over 100 facilities completed in the past few years and is continually instituting process improvements that have already decreased the average review time by 50%. These requests include associated fiber and electric installations, pole replacements, and installation of new poles.

It is critical that the Commission understand the level of effort involved in maintaining balanced use of the ROW and ensuring public safety with these small cell deployments. From the *pole attachment* perspective, each small cell attachment requires City engineering departments to consider and design for:

- the paramount purpose of electrical distribution in a safe and reliable manner
- where replacement poles will go
- whether there is power available for wireless carrier equipment
- where the carrier's fiber backhaul is coming from
- the amount of equipment already on the pole and pole weight- and wind-load issues and whether the pole is near end-of-life
- impacts on line-of-sight for vehicles and pedestrians
- ADA clearances
- proximity and impacts on abutting properties
- impacts to surrounding trees, existing infrastructure and utilities
- meeting safety code requirements

### **ROW Use/Installation Considerations**

From the *installation* perspective, the location and installation "means and methods" impact the complexity of the deployment. Once approved, each small cell device installation requires:

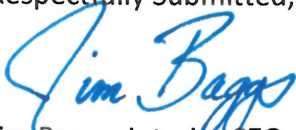
- reservation and use of traffic lanes
- disabling power to the pole
- disabling street lights
- potential sidewalk or street pavement cuts to lay conduit or backhaul fiber
- coordination with pedestrian sidewalk access
- coordination with other carriers already on the pole
- proper traffic control implementation when the pole is on an arterial street.

### **Conclusion**

It is the responsibility of local government to be effective stewards of our local public assets, ensuring they are managed in ways that promote the long-term economic and social health of our community. It is also our responsibility to ensure the benefits of private companies using public property accrue to all residents. Seattle will continue proactively working with companies to ensure the broadband and wireless future of our city. It is critical the FCC respect the fundamental role local government plays in the balanced use of our local assets and ROW for all users and not take any action that preempts or restricts these traditional areas of local authority.

Thank you for your consideration.

Respectfully Submitted,



Jim Baggs, Interim CEO  
Seattle City Light



Linea Laird, Acting Director,  
Seattle Department of Transportation